

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA,
AMENDING CHAPTER 33 OF DIVISION 2 OF TITLE 1 OF THE SAN
BERNARDINO COUNTY CODE, RELATING TO SENIOR AFFAIRS
COMMISSION.**

The Board of Supervisors of the County of San Bernardino, State of California,
ordains as follows:

SECTION 1. Chapter 33 of Division 2 of Title 1 of the San Bernardino County
Code is amended, to read:

Chapter 33.

Senior Affairs Commission

Sections:

- 12.3301 Establishment of Commission.
- 12.3302 Membership of Commission.
- 12.3303 Term of Office.
- 12.3304 Officers.
- 12.3305 Time of Meetings.
- 12.3306 Authority to Regulate Commission Internal Business.
- 12.3307 Compensation of Commissioners.
- 12.3308 Duties of Commission.
- 12.3309 Standing Committees.

12.3301 Establishment of Commission.

There is hereby established a Senior Affairs Commission for the County of San Bernardino and it shall consist of at least sixteen (16) but not more than thirty (30) members who are residents of the County of San Bernardino. The Commission shall reflect the geographic, racial, economic and social complexion of San Bernardino County.

12.3302 Membership of Commission.

(a) APPOINTED MEMBERS. Each supervisor shall appoint one (1) commissioner to represent his/her district. In addition, the Chairman of the Board of Supervisors shall appoint one (1) member-at-large.

1 (b) SELECTED MEMBERS. The then existing members shall select six (6)
2 commissioners, one (1) from each supervisorial district and one (1) member-at-large.
3 Except for the member-at-large, who must reside within the County, each selected
4 member must reside within the represented district during his/her entire term.

5 (c) PROFESSIONAL MEMBERS. At the recommendation of the Director of the
6 Department of Aging, the then existing members may appoint up to two (2) commissioners
7 having relevant professional experience in fields including but not limited to: gerontology,
8 social work, education, banking, or financial management.

9 (d) REPRESENTATIVE MEMBERS. The chairs of the Regional Council on
10 Aging or a designated member shall serve on the Commission. In the event one (1) or
11 more of the chairs of the Regional Council on Aging is already a member of the
12 Commission, he/she may continue to serve in the position of his/her choice. The Regional
13 Council on Aging shall designate a representative in the event the chair elects to serve on
14 the Commission in another position.

15 In no circumstances will any member occupy more than one (1) seat on the
16 Commission.

17 **12.3303 Term of Office.**

18 (a) APPOINTED MEMBERS. The term of office of appointed members shall be
19 coterminous with the office of the appointing supervisor. The term of office of the
20 appointed member-at-large shall be coterminous with the office of the appointing
21 Chairman of the Board.

22 (b) SELECTED MEMBERS. The term of office for selected members shall be for
23 four (4) years.

24 (c) PROFESSIONAL MEMBERS. The term of office for professional members
25 shall be two (2) years.

26 (d) REPRESENTATIVE MEMBERS. The term of office of the representative
27 members shall be coterminous with the term of office for the chairs of the Regional Council
28 on Aging.

(e) CONDITIONS OF TERM OF OFFICE.

1 (1) Consecutive Terms.

2 (A) Appointed Members. No appointed commissioner shall serve
3 more than two (2) consecutive terms unless specifically permitted by the Board of
4 Supervisors because of unusual circumstances.

5 (B) Selected Members. No selected member shall serve more than
6 two (2) consecutive terms.

7 (C) Professional Members. No professional member shall serve
8 more than four (4) consecutive terms.

9 (2) Vacancies and Removals. The unexpired term for vacancies on the
10 Commission, from whatever cause, except temporary vacancies as hereinafter provided,
11 shall be filled as follows:

12 (A) Appointed Members. By the appointing supervisor. Any
13 appointed member may be removed from the Commission prior to the expiration of his/her
14 term at the pleasure of the appointing supervisor.

15 (B) Selected Members. By the Commission using
16 recommendations from the public and senior organizations representing the supervisorial
17 district in which the vacancy exists. Any selected member may be removed from the
18 Commission by a two-thirds majority vote of the commissioners present at a regularly
19 scheduled meeting of the Commission after having announced such intent at the previous
20 meeting.

21 (C) Professional Members. By the Commission using
22 recommendations from the Director of the Department of Aging and Adult Services. Any
23 professional member may be removed from the Commission by a two-thirds majority vote
24 of the commissioners present at a regularly scheduled meeting of the Commission after
25 having announced such intent at the previous meeting.

26 (D) Representative Members. Any member designated by a chair
27 of the Regional Council on Aging may be removed from the Commission prior to the
28 expiration of his/her term at the pleasure of the appropriate Council on Aging or by a two-
thirds vote of the Commission.

1 (3) Temporary Vacancies. A member of the Commission may be granted
2 a leave of absence by the source of the seat and a temporary vacancy shall thereupon
3 exist for a period of such leave of absence.

4 During the period of such temporary vacancy, the supervisor
5 concerned or the selecting authority may fill such vacancy by a temporary appointment to
6 said Commission, provided, however, that the period of such temporary appointment shall
7 not exceed the period of the regularly appointed term.

8 (4) Automatic Termination of Appointment. The appointment of any
9 member of the Commission who has been absent from three (3) consecutive regular or
10 special meetings, or fifty percent (50%) of such meetings in a twelve (12) month period,
11 and who has failed to notify the Commission, prior to or as soon thereafter as possible,
12 concerning such absence(s), shall automatically terminate as hereinafter set forth.

13 The Director of the Department of Aging and Adult Services shall
14 report the attendance record of each member of said Commission to the Clerk of the
15 Board of Supervisors at the end of each six (6) month period. The first report is to be made
16 on the first day of the sixth month following adoption of this Section. The appointment of
17 any member who was absent without notice, as defined above, as shown on said
18 attendance report, shall be terminated effective the date said report is filed with the Clerk
19 of the Board of Supervisors.

20 The Clerk of the Board of Supervisors shall notify any member whose
21 appointment has automatically terminated and report to the supervisor or the selecting
22 authority concerned that a vacancy exists on said Commission and that an appointment
23 should be made for the unexpired term.

24 The appointment of any selected member shall automatically
25 terminate in the event his/her residence is no longer within the represented district. Any
26 selected member who moves outside the represented district shall notify the Director of
27 the Department of Aging and Adult Services of such change and the Director of the
28 Department of Aging and Adult Services shall report such change to the Clerk of the Board
of Supervisors at the end of each six (6) month period. The appointment of such selected

1 member shall be terminated effective on the date said report is filed with the Clerk of the
2 Board of Supervisors.

3 **12.3304 Officers.**

4 The Commission shall elect a Chairman, Vice-Chairman, and Secretary from its
5 membership. These officers shall hold office for two (2) years or until their successors are
6 elected, unless their terms as members of the Commission expire sooner. A Nominating
7 Committee composed of three (3) members of the Commission shall be appointed as
8 follows: the Chairman shall appoint the Nominating Committee Chairman in October of
9 each odd numbered calendar year, and the Nominating Committee Chairman shall select
10 the two (2) additional members of the Nominating Committee.

11 The Chairman, Vice-Chairman, and Secretary shall be elected at the Commission's
12 last meeting in December of each odd numbered calendar year, and they shall take office
13 effective January 1 of each even numbered calendar year.

14 The Chairman shall preside and maintain order and be ex officio officer of all
15 committees except the Nominating Committee. The Vice-Chairman shall preside in the
16 absence of the Chairman.

17 The San Bernardino County Department of Aging and Adult Services shall serve as
18 staff for the Senior Affairs Commission.

19 **12.3305 Time of Meetings.**

20 The Commission shall establish a regular time and place for monthly meetings and
21 shall hold at least one (1) regular meeting each quarter of every year. All meetings of the
22 Commission, including without limitation, regular, adjourned regular and special meetings,
23 shall be called, noticed, held and conducted in accordance with the provisions of the Ralph
24 M. Brown Act (Gov. Code, § 54950 et seq.).

25 **12.3306 Authority to Regulate Commission Internal Business.**

26 The Commission may propose to the Board of Supervisors for their approval any
27 additions or alterations to the rules governing its organization and procedures which are
28 not inconsistent with applicable policies of the County. In the capacity of a Senior Affairs

1 Commission, no member is to speak for the supervisors or espouse policies or positions
2 contrary to those of the Board of Supervisors.

3 One more than fifty percent of the members shall constitute a quorum and the
4 affirmative vote of a simple majority of those present is required to take any action
5 except as otherwise provided herein.

6 The Commission will keep up-to-date minutes and records and see that they are
7 distributed to appropriate County departments, including the Clerk of the Board of
8 Supervisors.

9 **12.3307 Compensation of Commissioners.**

10 Commissioners shall serve without compensation but may be permitted their
11 necessary mileage to attend regular monthly meetings in accordance with the provision of
12 the County Travel Code and other such fees and expenses as may be approved by the
13 Board of Supervisors.

14 **12.3308 Duties of Commission.**

15 In coordination with the Department of Aging and Adult Services and the Human
16 Services System, the duties and powers of the Senior Affairs Commission shall be to:

- 17 (a) Serve as adviser to the Area Agency on Aging;
- 18 (b) Act as an independent advocate for older persons, taking positions on
19 matters pertaining to federal, state and local policies, programs and procedures, and any
20 legislation affecting older persons;
- 21 (c) Actively seek advice from community councils on aging, senior advocacy
22 organizations, local aging commissions, elected officials, and the general public for the
23 purpose of advocating for and making formal presentations on issues of concern to older
24 persons consistent with Section 12.3306;
- 25 (d) Inform local senior advocates and organizations on specific legislation
26 pending before local, state and federal governments;
- 27 (e) Disseminate information of interest and concern to older persons;
- 28 (f) Be actively involved in the development, implementation and monitoring of
the area plan;

1 (g) Hold public meetings on the area plans with no less than thirty (30) day
2 notification to the general public and the aging constituency regarding dates, time and
3 location. Such notification shall contain understandable descriptions of the Area Agency
4 on Aging and community-level plans in order to promote informed input; and

5 (h) Participate in the preparation of an annual report that gives its
6 recommendations to improve the lives of older persons, and a summary of its activities for
7 the previous year. The report shall be made available to the Area Agency on Aging, the
8 California Department on Aging, the California Commission on Aging, and, insofar as
9 resources permit, to all other interested parties that seek a copy of the report.

10 In prescribing the above duties and functions of the Commission, it is not the intent
11 of the Board of Supervisors to duplicate or overlap the functions, duties or responsibilities
12 heretofore or hereafter assigned to any other County Board or Commission or to a County
13 Department. As to such functions or responsibilities of another Board or Commission or of
14 a Department of the County, the Senior Affairs Commission will render assistance and
15 advice to such Board, Commission or County Department as may be requested.

16 **12.3309 Standing Committees.**

17 Standing committees of the Commission shall be at least the Executive Committee,
18 the Legislative Committee, and the Nutrition Committee. Other committees of the
19 Commission shall be as required to effectively carry out the Commission duties as herein
20 provided.

21 The Executive Committee shall be composed of the Chairman, Vice-Chairman,
22 Secretary, Standing Committee Chairpersons, with the Director of the Department of
23 Aging and Adult Services or his/her designee as advisor.

24 SECTION 2. This ordinance shall take effect thirty (30) days from the date of
25 adoption.

26
27 _____
28 DENNIS HANSBERGER, Chairman
Board of Supervisors

1 SIGNED AND CERTIFIED THAT A COPY
2 OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

3 J. RENEÉ BASTIAN, Clerk of the
4 Board of Supervisors

5 _____
6 STATE OF CALIFORNIA)
7 COUNTY OF SAN BERNARDINO) ss.

8 I, J. RENEÉ BASTIAN, Clerk of the Board of Supervisors of the County of
9 San Bernardino, State of California, hereby certify that at a regular meeting of the Board of
Supervisors of said County and State, held on the _____ day of _____, 2003, at
10 which meeting were present Supervisors: _____
11 _____

12 and the Clerk, the foregoing ordinance was passed and adopted by the following vote, to
wit:

13 AYES: SUPERVISORS:

14 NOES: SUPERVISORS:

15 ABSENT: SUPERVISORS:

16 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
17 official seal of the Board of Supervisors this ____ day of _____, 2003.

18 J. RENEÉ BASTIAN, Clerk of the
19 Board of Supervisors of the
20 County of San Bernardino,
State of California

21 _____
22 Deputy

23 Approved as to Form:

24 ALAN K. MARKS, County Counsel

25 By: _____
26 Deputy County Counsel

27 Date: _____
28

1 BOARD OF SUPERVISORS
2 COUNTY OF SAN BERNARDINO

3 SUMMARY OF ORDINANCE NO. _____
4

5 Notice is hereby given that at 10:00 a.m. on Tuesday, _____, 2003, at its
6 regularly scheduled meeting, the San Bernardino County Board of Supervisors adopted an
7 ordinance changing the membership in and miscellaneous aspects of the operation of the
8 Senior Affairs Commission.

9 Ordinance Summary

10 The ordinance changes the membership in and miscellaneous aspects of the
11 operation of the Senior Affairs Commission.

12 A certified copy of the full text of this ordinance is posted for public review in the
13 Office of the Clerk of the Board of Supervisors at 385 North Arrowhead Avenue, 2nd Floor,
14 San Bernardino, California.

15 Voting on the ordinance was as follows:

16 AYES: Supervisors:

17 NOES: Supervisors:

18 ABSENT: Supervisors:
19

20
21 BOARD OF SUPERVISORS OF THE
22 COUNTY OF SAN BERNARDINO

23 DENNIS HANSBERGER, Chairman
24 Board of Supervisors

25 ATTEST:
26

27 J. RENEE BASTIAN,
28 Clerk of the Board of Supervisors

1 BOARD OF SUPERVISORS
2 COUNTY OF SAN BERNARDINO

3
4 **SUMMARY OF PROPOSED ORDINANCE**
5

6 Notice is hereby given that at 10:00 a.m. on Tuesday, _____, 2003, at
7 its regularly scheduled meeting, the San Bernardino County Board of Supervisors will
8 consider adoption of a proposed ordinance changing the membership in and
9 miscellaneous aspects of the operation of the Senior Affairs Commission.

10 Ordinance Summary

11 The proposed ordinance changes the membership in and miscellaneous aspects of
12 the operation of the Senior Affairs Commission.

13 A certified copy of the full text of this ordinance is posted for public review in the
14 Office of the Clerk of the Board of Supervisors at 385 North Arrowhead Avenue, 2nd Floor,
15 San Bernardino, California.

16
17 BOARD OF SUPERVISORS OF THE
18 COUNTY OF SAN BERNARDINO

19
20 DENNIS HANSBERGER, Chairman
21 Board of Supervisors

22
23 ATTEST:

24
25 J. RENÉ BASTIAN,
26 Clerk of the Board of Supervisors
27
28